

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: CLAPP ET AL.

Examiner: J. HART

Serial No.: 09/019,114

Group Art Unit: 2782

Filed: FEBRUARY 5, 1998

Docket: 10676.1USC1

Title: PERIPHERAL VIDEO CONFERENCING SYSTEM



CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described herein, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on December 16, 1999.

By: Brenda House
Brenda House

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Small entity status has been previously submitted
- ☒ Terminal Disclaimer to Obviate a Double Patenting Rejection and Copy of Assignment
- ☒ Check in the amount of \$55.00 for submission of Terminal Disclaimer
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
3100 Norwest Center, Minneapolis, MN 55402
(612) 332-5300

By: Erik G. Swenson
Name: Erik G. Swenson
Reg. No.: 45,147
EGS:PSTbkh

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S/N 09/019,114



PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Brenda House
Brenda House

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TERMINAL DISCLAIMER TO OBVIATE
A DOUBLE PATENTING REJECTION

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Petitioner, RSI Systems, Inc., a corporation organized and existing under the laws of the State of Minnesota and having its primary place of business at 5555 W. 78th Street, Edina, Minnesota 55439-2702 represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 09/019,114, filed on February 5, 1998 and entitled PERIPHERAL VIDEO CONFERENCING SYSTEM, by virtue of our assignment recorded at Reel 7151, Frame(s) 0139. Pursuant to 37 C.F.R. § 3.73(b), copies of the Assignment and the Notice of Recordation are submitted herewith as evidence of RSI Systems, Inc.'s right as assignee to take action.

Petitioner, RSI Systems, Inc., hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term of U.S. Patent No. 5,802,281 and

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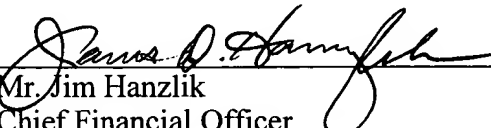
hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 5,802,281, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the full statutory term as presently shortened by any terminal disclaimer of United States Patent No. 5,802,281, in the event that any such issued patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims canceled by a reexamination certification, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

For submissions on behalf of an organization (e.g. corporation, partnership, university, government agency, etc.), the undersigned (whose title is supplied below) is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: 12-14-99


Mr. Jim Hanzlik
Chief Financial Officer
RSI Systems, Inc.

THE STATEMENT BELOW IS FOR OFFICE USE ONLY

In accordance with the decision granting the petition filed on _____, _____, this terminal disclaimer is accepted. The period of patent lapse specified above has been accepted as equivalent to _____ months.

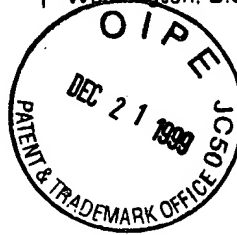
Petitions Examiner

ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

DATE: 10/24/94
TO:

N04A

MARK A. HOLLINGSWORTH
MERCHANT, GOULD, SMITH ET AL
3100 NORWEST CENTER
90 SOUTH SEVENTH STREET
MINNEAPOLIS, MN 55402-4131



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:
CLAPP, DOUG

DOC DATE: 09/07/94

ASSIGNOR:
MULDER, DAVID

DOC DATE: 09/07/94

RECORDATION DATE: 09/07/94 NUMBER OF PAGES 003 REEL/FRAME 7151/0139

DIGEST : ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:
RSI SYSTEMS, INC.
ONE CORPORATE PLAZA
7400 METRO BOULEVARD #475
EDINA, MINNESOTA 55439

SERIAL NUMBER	8-302108	FILING DATE	09/07/94
PATENT NUMBER		ISSUE DATE	00/00/00

EXAMINER/PARALEGAL
ASSIGNMENT BRANCH
ASSIGNMENT/CERTIFICATION SERVICES DIVISION

SECRET

NOV 18 1994

RECORDATION FORM COVER SHEET
PATENTS ONLY

U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)

Doug Clapp
David Mulder

Additional name(s) of conveying party(ies) attached? [] Yes [X] No

2. Name and address of receiving party(ies):

Name: RSI Systems, Inc.

Internal Address:

Street Address: One Corporate Plaza

7400 Metro Boulevard #475

City: Edina State: MN ZIP: 55439

3. Nature of conveyance:

[X] Assignment [] Merger

[] Security Agreement [] Change of Name

[] Other

Execution Date: September 7, 1994

Additional name(s) & address(es) attached? [] Yes [X] No

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 9/7/94

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? [] Yes [] No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Mark A. Hollingsworth

Address: Merchant, Gould, Smith, Edell,
Welter & Schmidt
3100 Norwest Center
90 South Seventh Street
Minneapolis, MN 55402-4131

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41): \$ 40.00

[X] Enclosed

[] Authorized to be charged to deposit account

8. Please charge any additional fees or credit any overpayments to our Deposit account number: 13-2725

(A duplicate copy of this page is attached.)

DO NOT USE THIS SPACE

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Mark A. Hollingsworth

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document: 3

OMB No. 0651-0011 (exp. 4/94)

Do not detach this portion

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks
Box Assignments
Washington, D.C. 20231

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Public burden reporting for this sample cover sheet is estimated to average about 30 minutes per document to be recorded, including time for reviewing the document and gathering the data needed, and completing and reviewing the sample cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Office of information systems, PK2-1000C, Washington, D.C. 20231, and to the Office of Management and Budget, Paperwork Reduction Project (0651-0011), Washington, D.C. 20503.

ASSIGNMENT

WHEREAS, WE, Doug Clapp residing at 4312 Branson Street, Edina, Minnesota 55424, and David Muider residing at 1617 Nevada Ave. South, St. Louis Park, Minnesota 55425, respectively, made certain new and useful inventions and improvements for which We executed an application for Letters Patent of the United States filed herewith which is entitled PERIPHERAL VIDEO CONFERENCING SYSTEM.

AND WHEREAS, RSI SYSTEMS, INC., a corporation organized and existing under and by virtue of the laws of the State of Minnesota, and having an office and place of business at One Corporate Plaza, 7400 Metro Boulevard #475, Edina, Minnesota 55439 (hereinafter "Assignee") is desirous of acquiring the entire right, title and interest in and to said inventions, improvements and application and in and to the Letters Patent to be obtained therefor;

NOW THEREFORE, to all whom it may concern, be it known that for and in consideration of the sum of One Dollar and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, we have sold, assigned, and transferred, and by these presents do sell, assign and transfer unto said Assignee, its successors or assigns, the entire right, title and interest for all countries in and to all inventions and improvements disclosed in the aforesaid application, and in and to the said application, all divisions, continuations, or renewals thereof, all Letters Patent which may be granted therefrom, and all reissues or extensions of such patents, and in and to any and all applications which have been or shall be filed in any foreign countries for Letters Patent on the said inventions and improvements, including an assignment of all rights under the provisions of the International Convention, and all Letters Patent of foreign countries which may be granted therefrom; and we do hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all United States Letters Patent for the aforesaid inventions and improvements to the said Assignee as the assignee of the entire right, title and interest in and to the same, for the use of the said Assignee, its successors and assigns.

AND, for the consideration aforesaid, we do hereby agree that I and we and our executors and legal representatives will make, execute and deliver any and all other instruments in writing including any and all further application papers, affidavits, assignments and other documents, and will communicate to said Assignee, its successors and representatives all facts known to us relating to said improvements and the history thereof and will testify in all legal proceedings and generally do all things which may be necessary or desirable more effectually to secure to and vest in said Assignee, its successors or assigns the entire right, title and interest in and to the said improvements, inventions, applications, Letters Patent, rights, titles, benefits, privileges and advantages hereby sold, assigned and conveyed, or intended so to be.

AND, furthermore we covenant and agree with said Assignee, its successors and assigns, that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

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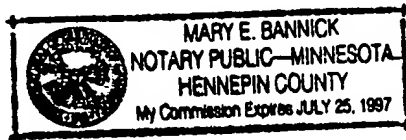
IN TESTIMONY WHEREOF, I have hereunto set my hand this 7 day of September, 1994.

[Signature]

STATE OF Minnesota)
COUNTY OF Hennepin) ss.

On this 7 day of September 1994 before me personally appeared DOUG CLAPP to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]



[Signature]
Notary Public

IN TESTIMONY WHEREOF, I have hereunto set my hand this 7 day of September, 1994.

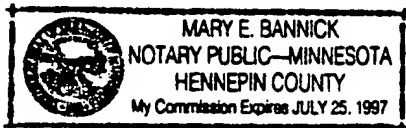
[Signature] RECORDED
TOWN OF PARK OFFICE

SEP -7 94

STATE OF Minnesota)
COUNTY OF Hennepin) ss.

On this 7 day of September 1994 before me personally appeared DAVID MULDER to me known and known to me to be the person described in and who executed the foregoing instrument, and he/she duly acknowledged to me that he/she executed the same for the uses and purposes therein set forth.

[SEAL]



[Signature]
Notary Public

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